

THIRTY-SEVENTH DAY

(Wednesday, March 13, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood

Absent—Excused

Fly	Martin
Lane	

A quorum was announced present.

Dr. Clarence Cranford, Pastor, Calvary Baptist Church of Washington, D. C., offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Fly was granted leave of absence for today on account of important business on motion of Senator Moore.

Senator Lane was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senate Resolution 225

Senator Bradshaw offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate distinguished visitors from Denton who are visiting in Austin today. These visitors, now seated in a group in the gallery are all interested in, or connected with, the Texas State College for Women, one of America's great

institutions of higher learning. Included are students, faculty members, and administrative officers of TSCW, as well as delegates, two of them from Fort Worth, of the Board of Directors of the TSCW Alumnae Association. It is a particular pleasure for me to say that among the TSCW students present in the gallery are 1) the president of the student body, 2) the editor of the College's daily newspaper, 3) the presidents of the four undergraduate classes, 4) the presidents of five all-College student organizations, 5) the Aggie Sweetheart, 6) the president-elect of the student body for 1957-58, as well as outstanding students from every section of Texas, not to mention a contingent from out of state.

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Bradshaw by unanimous consent presented the distinguished guests to the Members of the Senate.

Reports of Standing Committees

Senator Fuller submitted the following reports:

Austin, Texas,
March 12, 1957.

Hon. Ben Ramsey, President of the Senate.

We, your Committee on Transportation, to whom was referred S. B. No. 210, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Austin, Texas,
March 12, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Transportation, to whom was referred H. B. No. 230, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Senator Parkhouse submitted the following reports:

Austin, Texas,
March 13, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 377, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
March 13, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 335, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
March 13, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 336, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
March 13, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 150, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senate Resolution 226

Senator Aikin offered the following resolution:

Whereas, Miss Linda Crawford and Miss Eleanor Jones of Paris, Texas, and students at Texas State College

for Women, are visitors at the Capitol today; and

Whereas, The Senate is delighted to have these fine young ladies as our guests; now, therefore, be it

Resolved, By the Senate of Texas that these young ladies be extended a hearty welcome and the privileges of the floor for today.

The resolution was read and was adopted.

Senate Resolution 227

Senator Krueger offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Miss Bess Black, of Giddings, Texas, who through her devotion to the teaching profession and her love of young people has been the inspiration through the years for many of the distinguished sons and daughters of our beloved State; and

Whereas, In the continuation of her interest in young people to which she has dedicated her life, she has with her today in the Senate Gallery the students of the 12th grade Texas history class of Giddings High School; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and the Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and Miss Black to the Members of the Senate.

Senate Resolution 228

Senator Bradshaw offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Civics Class of Cisco High School, Cisco, Texas, accompanied by their sponsor, Mrs. Edward Lee; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the work-

ings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Bradshaw by unanimous consent presented the students and Mrs. Lee to the Members of the Senate.

Senate Resolution 229

Senator Krueger offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Katy High School Government Class, Ted Lambert, teacher; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

KRUEGER
BRACEWELL
PHILLIPS

The resolution was read and was adopted.

Senators Krueger, Bracewell and Phillips by unanimous consent presented the students and teacher to the Members of the Senate.

Senate Resolution 230

Senator Moffett offered the following resolution:

Whereas We are honored today to have as visitors in the Senate, Messrs. Clark Gresham, E. E. Voyles and Kelley Gilbreath, County Commissioners of Wichita County, Texas, and Dr. Raymond Hander of Windthorst, Texas; and

Whereas, We desire to welcome these distinguished guests to the Capitol Building and the Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas, and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senate Bill 393 on First Reading

Senator Moore moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood
Moffett	

Absent

Hazlewood

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Moore:

S. B. No. 393, A bill to be entitled "An Act to amend Article 2326a, Revised Civil Statutes of Texas, 1925, (codified also as Article 2326a, Vernon's Texas Civil Statutes), as amended by Chapter 56, Acts of the 41st Legislature, Regular Session, 1929, and by Chapter 3, Acts of the 46th Legislature, Special Laws, Regular Session, 1939, relating to expenses and manner of payment of expenses of shorthand reporters and their deputies in District Courts in Judicial Districts composed of more than one county, is hereby amended to provide an increase in allowance covering certain of such expenses; providing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

Senate Bill 394 on First Reading

Senator Secrest moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Secrest:

S. B. No. 394, A bill to be entitled "An Act permitting the Assessor-Collector of Taxes of each County, and the Sheriff, who also performs the duties of Assessor-Collector of taxes in certain counties, to attend one professional conference or legal institute each year, and such other conferences or institutes as may be called by the State Comptroller of Public Accounts; providing that the county may pay the expenses of the Assessor-Collector of taxes or the Sheriff, as the case may be, for attending these conferences or institutes; providing that in the event the Assessor-Collector of taxes or the Sheriff, as the case may be, is unable to attend a conference or institute then the First Assistant, Chief Deputy, or some other assistant designated by the Assessor-Collector or the Sheriff, may attend the conference or institute; providing that the county may pay the expenses of the First Assistant or Chief Deputy, or the assistant or deputy designated by the Assessor-Collector or the Sheriff for attending these conferences or in-

stitutes; providing the fund out of which the expenses of the Assessor-Collector of taxes, the Sheriff and their assistants and deputies may be paid; providing for a repealing clause and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 395 on First Reading

Senator Wood moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Wood:

S. B. No. 395, A bill to be entitled "An Act creating a Conservation District under Article XVI Section 59 of the Constitution comprising certain territory contained in Henderson County, Texas, to be known as 'Athens Municipal Water Authority,' for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing, transporting, and distributing the same and providing plants and facilities for the collection, transportation, processing, disposal and control of all domestic, industrial and communal wastes; providing for a Board of Directors for the government of said Authority; authorizing the Authority to do all things necessary to the exer-

cise of the powers herein granted; authorizing the issuance of bonds and providing for payment and security thereof; making applicable to the district Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain General laws relating to Water Control and Improvement Districts; prescribing the other powers of the Authority; providing a saving clause; enacting other provisions relating to this subject; and declaring an emergency."

To the Committee on Water and Conservation.

Senate Bill 396 on First Reading

Senator Parkhouse moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Parkhouse:

S. B. No. 396, A bill to be entitled "An Act amending Section 2, of Article V, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended, providing transportation at State expense for certain school children who reside within a city that has a public transportation system when it is impractical for such children to use the city public transportation system, and declaring an emergency."

To the Committee on Finance.

Senate Bill 397 on First Reading

Senator Herring moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood
Moffett	

Nays—1

Hardeman

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Herring:

S. B. No. 397, A bill to be entitled "An Act to provide for the acquisition of certain lands, buildings and structures; to provide for the equipping, operating and maintaining of buildings; providing for the issuance and sale of revenue bonds or notes by the State Building Commission; prescribing the powers, duties and limitations of the State Building Commission in regard to the acquiring of certain lands and the equipping, operating and maintaining of buildings and the issuance and sale of such negotiable revenue bonds or notes; prescribing the powers, duties and limitations of other officials and agencies; defining certain terms; making other provisions relating to the issuance and sale of such negotiable revenue bonds or notes; declaring such bonds or notes to be legal and authorized investments for certain institutions and certain political subdivisions and

public agencies of the State and other governmental agencies; providing that the bonds shall be sufficient security for all deposits of state funds and of all funds of any agency or political subdivisions of the State, counties, school districts, cities or other municipal corporations or subdivisions; authorizing the State Building Commission to rent or lease certain properties and to pledge the revenue to be obtained to the payment of the bonds; making other provisions relating thereto; prescribing certain powers, duties, authority and functions of various officials in regard to carrying out the provisions of this Act; providing a severability clause and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 398 on First Reading

Senator Reagan moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Reagan:

S. B. No. 398, A bill to be entitled "An Act providing that all property transferred by the State of Texas to the City of Corpus Christi by the provisions of Chapter 253, Acts of the 49th Legislature, Regular Session,

1945, may be leased by the governing body of the City of Corpus Christi for such time and under such terms and conditions and for such purposes as determined by the governing body of the City of Corpus Christi to be to the best interest of the City and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 399 on First Reading

Senator Bracewell moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Bracewell:

S. B. No. 399, A bill to be entitled "An Act relating to jury service, amending Article 2135, Revised Civil Statutes of 1925, as amended, providing for exemption of school teachers from jury service during teaching period; and declaring an emergency."

To the Committee on Jurisprudence.

Senate Bill 400 on First Reading

Senator Fuller moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time,

a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lock	Wood
Moffett	

Nays—1

Hardeman

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Fuller:

S. B. No. 400, A bill to be entitled "An Act relating to the licensing, inspection, and regulation of hospitals as herein defined; providing for a licensing agency and prescribing its powers; creating a hospital council and prescribing its powers; establishing minimum standards; providing enforcement procedures and penalties; providing a repealing clause, and a savings clause.

To the Committee on State Affairs.

Senate Bill 401 on First Reading

Senator Kazen moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Colson
Ashley	Fuller
Bracewell	Gonzalez
Bradshaw	Hardeman

Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lock	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis
Parkhouse	Wood

Absent—Excused

Fly	Martin
Lane	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senators Kazen and Colson:

S. B. No. 401, A bill to be entitled "An Act providing that the Texas Highway Department is authorized and directed to expend money for the purchase of right-of-ways and right-of-way easements for State Designated Highways; providing for participation by counties, cities, and other political subdivisions of the State authorized or required to purchase right-of-ways; amending Chapter I of Title 116, Revised Civil Statutes of Texas, 1925, as amended, amending Sections 5, 6, 7, 8, 8a, 8c, and 10 of Chapter 88, Acts of the 41st Legislature, Second Called Session, codified in Vernon's as Articles 6675a-5, 6675a-6, 6675a-7, 6675a-8, 6675a-8a, 6675a-8c, and 6675a-10, Vernon's Civil Statutes by increasing annual license fees for various vehicles covered by its provisions by providing that counties shall remit certain registration receipts to the Texas Highway Department at certain intervals; making other provisions relating thereto; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 402 on First Reading

Senator Gonzalez moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Bracewell
Ashley	Bradshaw

Colson	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Willis
Moffett	Wood
Moore	

Absent—Excused

Fly Martin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Gonzalez:

S. B. No. 402, A bill to be entitled "An Act relating to the School Foundation Program, amending Article V, Chapter 334, Section 2, Acts of the 51st Legislature, Regular Session, 1949, providing that a school child who resides within a city which has a public transportation system and such child resides within two miles of the city public transportation system, such child shall be eligible to be transported at State expense if the city public transportation system does not provide bus routes that will transport the child within $\frac{1}{4}$ mile of the school he attends, but in no case shall such child be transported at State expense if he resides within two miles of the school he attends; and declaring an emergency."

To the Committee on Finance.

Senate Bill 403 on First Reading

Senator Willis moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Herring
Bradshaw	Hudson
Colson	Kazen
Fuller	Krueger
Gonzalez	Lane

Lock	Roberts
Moffett	Rogers
Moore	Secrest
Owen	Smith
Parkhouse	Weinert
Phillips	Willis
Ratliff	Wood
Reagan	

Absent—Excused

Fly Martin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Willis:

S. B. No. 403, A bill to be entitled "An Act to establish the Probate Court of Tarrant County; to define the jurisdiction thereof and to conform to such change the jurisdiction of the County Court of Tarrant County; and providing for the transfer of matters and proceedings from the County Court of Tarrant County to said Probate Court of Tarrant County; declaring the validity in the transferred cases of writs and processes extant at the time of such transfer; granting said Court certain powers; providing for the practice and procedure in said Court, and for the terms of said Court, and the election, qualification and appointment of a judge thereof, and the execution of a bond and oath of office, the filling of vacancies on said court, and the election or appointment of a Special Judge; providing for a Clerk of said Court, and for the duties of said Clerk, and the duties of the Sheriff as to such Court; providing a seal for said Court; establishing the fees and compensation to be paid the Judge thereof, and providing for the payment of such compensation; conferring upon the County Judge the power and authority to transfer matters and proceedings from the County Court of Tarrant County to said Probate Court, and conferring upon the County Judge the power to sit and act as the Judge of said Court in certain cases; providing other provisions concerning the function and business of said Court; providing for other officers and employees of said Court; authorizing the Commissioners Court of Tarrant County to amend the county budget for the 1957 fiscal year to provide for the expenses herein authorized; providing for a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

House Concurrent Resolution 51 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 51, Suspending Joint Rules of the two Houses to permit the House to consider H. B. No. 133, the General Appropriation Bill at any time.

The resolution was read.

On motion of Senator Bradshaw and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 231

Senator Aikin offered the following resolution:

Whereas, General Lewis B. Hershey, Director of Selective Service of the United States, is a visitor at the Capitol today, accompanied by Col. Morris Schwartz, State Director of Selective Service; and

Whereas, The Senate is delighted to have these distinguished citizens as our guests; now, therefore be it

Resolved, That the Senate extend them a hearty welcome and the privileges of the floor for today.

The resolution was read and was adopted.

Senator Aikin by unanimous consent presented General Hershey to the Members of the Senate.

Senate Concurrent Resolution 41 on First Reading

Senator Gonzalez moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hazlewood
Ashley	Herring
Bracewell	Hudson
Bradshaw	Kazen
Colson	Krueger
Fuller	Lane
Gonzalez	Lock
Hardeman	Moffett

Moore	Rogers
Owen	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	Willis
Reagan	Wood
Roberts	

Absent—Excused

Fly	Martin
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The following resolution was then introduced, read first time and referred to the committee indicated:

S. C. R. No. 41, Granting Anastacio Vargas permission to sue the State of Texas.

Whereas, Article 3, Section 51c, of the Constitution of the State of Texas authorizes the Legislature, under such regulations and limitations as the Legislature may deem expedient, to grant aid and compensation to any person who has heretofore served a sentence in prison under the laws of this State for an offense for which he is not guilty; and

Whereas, There is no machinery set up by the laws of the State of Texas to accurately and definitely determine the entitlement to and the amount of such aid and compensation and it is neither feasible nor practicable for the Legislature itself to determine such amounts as a matter of general law or in individual cases; and

Whereas, According to Proclamation No. 21057 by the Governor of the State of Texas on the 21st day of October, 1929, ANASTACIO VARGAS, citizen and resident of Bexar County, Texas, was convicted in the District Court of Bexar County, Texas, at the October Term, 1926, of murder and sentenced to death and, following stays of execution and commutation of such sentence to life imprisonment, was granted a full pardon on the 21st day of October, 1929, on recommendation of the Pardon Board on application by the Honorable W. W. McCrory, Judge of the District Court at San Antonio, who sat as trial judge in the case, earnestly and urgently requesting that it be granted, stating that the testimony adduced on the original trial of the case left very serious doubt in his mind as to the guilt or even the implication of the said ANASTACIO VARGAS in the homicide for which he was convicted, and after a careful investigation of the facts and cir-

cumstances involved which was caused to be made by officers of Bexar County, the results of which were the advice by such officers that in their judgment the said ANASTACIO VARGAS was absolutely innocent of any implication in or knowledge of this murder; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that ANASTACIO VARGAS of Bexar County, Texas, be, and he is hereby, granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Bexar County, Texas, to determine definitely and accurately his entitlement to and the amount of aid and compensation, if any, which should be granted him by reason of his conviction in the District Court of Bexar County, Texas, at the October Term, 1926, of murder, his sentence to death, later commuted to life imprisonment, and his having served a portion of such commuted sentence in the State Penitentiary; and citation for the purpose herein granted may be served upon the State of Texas by serving the Attorney General; and be it further

Resolved, That the authorization herein given to sue the State of Texas shall not be construed as an admission of its liability but that upon final judgment by a court of competent jurisdiction determining such aid and compensation to the said ANASTACIO VARGAS, the payment of the same shall become the subject of the usual and normal legislative processes.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Concurrent Resolution 42

Senator Krueger offered the following resolution:

S. C. R. No. 42, Relating to Rice Week March 10-16.

Whereas, The Governor of Texas has proclaimed the week of March 10-16 as Rice Week; and

Whereas, Rice is the staff of life for over one-half of the world's population, and

Whereas, Rice is not only a health food that is easily digested, but is the only food known to man that he can exist on alone, and

Whereas, Rice has for centuries been known as the complete diet, and

Whereas, Rice can be used in food preparation in over one thousand different ways, and

Whereas, Rice is a major crop in four of our southern states, and

Whereas, Texas being among these four has consistently ranked No. 1, and

Whereas, Much of the development and progress made in the rice industry in Texas and elsewhere has been brought into prominence through the forceful, wise and able leadership of such stalwart citizens as the late Joe E. Broussard and Sons of Beaumont, and R. H. Hancock and Sons of El Campo, all of whom have stood foremost in bringing to the attention of the people of Texas and America the life-giving and nourishing qualities of rice as a food, and

Whereas, Their efforts have been unrelenting since before the turn of the 19th Century in every phase of the rice industry, including growing, milling and distribution; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That in honor of these distinguished men of the rice industry and others and in acknowledgement of the vital part rice has played in the affairs of mankind all over the world in war and in peace, that we do hereby call upon all Texans and Americans to take full advantage of the life-giving and saving benefits derived by the eating of more rice, personally and as a benefit to the great Texas industry.

KRUEGER
FULLER

The resolution was read.

On motion of Senator Krueger and by unanimous consent the resolution was considered immediately and was adopted.

Message from the Governor

The following message received from the Governor today was read and was filed with the Secretary of the Senate:

March 13, 1957.

To the Members of the Fifty-fifth Legislature:

In my first message to the Legislature on January 17, I respectfully submitted for your consideration as

an emergency matter the establishment of a State Law Enforcement Commission for nonpolitical, nonpartisan investigations of charges of misconduct on the part of any State official or employee and to study means of crime prevention and improvements in law enforcement.

Since that time I have come to feel even more strongly that legislation of this nature is vital to the welfare of our State and to the program of good government advanced by this Legislature and this administration.

For this reason, and in order that bills may be introduced on the subject during this, the second sixty days of the session, as provided in the Constitution, I hereby resubmit the foregoing subject for emergency consideration in accordance with Section 5 of Article III of the Constitution.

PRICE DANIEL,
Governor of Texas.

Senate Resolution 232

Senator Herring offered the following amendment:

Whereas, We are honored today to have in the gallery of the Senate, the Second Grade Class of the I. W. Popham School of Del Valle, Texas, accompanied by their teacher, Mrs. Jane Gay Siegmund; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and Mrs. Siegmund to the Members of the Senate.

House Bill 161 on Second Reading

The President laid before the Senate as unfinished business H. B. No. 161 on its second reading with a com-

mittee amendment pending (the bill having been read the second time on Wednesday, March 6 and laid before the Senate again on Thursday, March 7).

Question — Shall the committee amendment to H. B. No. 161 be adopted?

The committee amendment was adopted.

On motion of Senator Moffett and by unanimous consent the vote by which the committee amendment was adopted was reconsidered.

Senator Moffett then offered the following amendment to the amendment:

Amend Committee Amendment for H. B. No. 161, Section 3, page 2, printed bill, by striking out all of the first paragraph of Section 3 and insert in lieu thereof the following:

"The Texas Water Development Board is hereby created and declared to be a state agency for performing the governmental function authorized in Section 49c of Article III of the Constitution of the State. The Board shall consist of five members who shall be appointed by the Governor with the advice and consent of the Senate. Each of the members of the Board shall hold office for a term of six (6) years and until his successor is appointed and qualified; provided, however, that at the first appointments made under this Act, three members shall be appointed for a period of two years from the effective date of this Act, two members shall be appointed to serve for a period of four years from the effective date of this Act, and thereafter appointments shall be made for full six-year terms, as the terms provided for herein expire. The Governor, by appointment and with the advice and consent of the Senate, shall fill any vacancy that may occur due to the death or resignation of a member. Each of the five members of the Board is hereby declared to be an officer of the State as defined by the Constitution, and each shall qualify by taking the official oath of office prescribed by law; and each shall be allowed and paid as a part of the cost of administering this Act a per diem allowance of Twenty Five Dollars (\$25.00) per day while attending and traveling to and from all meetings of the Board.

Provided, however, that no two members of the Board herein created shall be residents of the same Congressional District of this State at the time of their appointment."

The amendment was adopted.

Record of Vote

Senator Lock asked to be recorded as voting "Nay" on the adoption of the above amendment.

The committee amendment as amended was then adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to third reading.

House Bill 161 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 161 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Moffett
Bracewell	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—3

Bradshaw	Rogers
Moore	

Absent—Excused

Fly	Martin
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Reports of Standing Committees

Senator Owen by unanimous consent submitted the following reports:

Austin, Texas,
March 12, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 360, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
March 12, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 359, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

OWEN, Chairman.

Austin, Texas,
March 12, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 358, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

OWEN, Chairman.

Austin, Texas,
March 12, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 357, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senator Phillips, by unanimous consent, submitted the following report:

Austin, Texas,
March 7, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 2, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

PHILLIPS, Chairman.

House Concurrent Resolution 41 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 41, Inviting the Melody Maids of Beaumont to give a concert to a Joint Session on April 8, 1957, at 11:00 A.M.

The resolution was read.

On motion of Senator Fuller and by unanimous consent the resolution was considered immediately and adopted.

House Bill 91 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 91, A bill to be entitled "An Act amending House Bill No. 190, Acts of the 46th Legislature, Regular Session, 1939, page 246, as amended, codified as Article 567b, as Vernon's Penal Code and commonly known as the Hot Check Law, by adding a new section defining offenses relating to the making, drawing, uttering, or delivering of a check, draft or order for payment of wages or salaries for personal service without sufficient funds; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 91 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 91 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Fly Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Fly Martin

House Bill 48 on Second Reading

On motion of Senator Smith and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 48, A bill to be entitled "An Act providing for fixing the compensation of judges of district courts in districts consisting of three or more counties; providing the manner of payment; establishing a limitation of amount of such compensation; pro-

viding for the validity of the remaining portion of Act if any part declared unconstitutional; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 48 on Third Reading

Senator Smith moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 48 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Fly	Martin
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Nays—2

Hardeman	Moffett
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Absent—Excused

Fly	Martin
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House Bill 7 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 7, A bill to be entitled "An Act relating to admissions taxes on places of amusement; etc., and declaring an emergency."

The bill was read second time.

Senator Parkhouse offered the following amendment to the bill:

Amend Subdivision (9) of Section 1 of H. B. No. 7, so that such subdivision (9) will read as follows:

"(9) Every person, firm, association of persons, or corporation who operates any place of amusement as designated in this section upon which an admission tax is due shall make and keep records in Texas at Headquarter office, or if an itinerant producer the place where records are to be kept shall be at the address shown on remittance report if outside the boundaries of Texas, or at a place to be named on said remittance report if to be kept in Texas, for a period of two (2) years. Said records shall correctly reflect (1) the date of event for which a ticket of admission was required, (2) the value of each ticket of admission, (3) number of patrons admitted by each ticket of admission, and (4) if admitted gratuitously, the number of patrons so admitted. Said records shall be open to the inspection of the Comptroller of Public Accounts and the Attorney General, or their duly authorized agents. If any person, firm, association of persons, or corporation shall fail to keep such records or shall refuse to allow the inspection of such records as above provided for, such person, firm, association of persons, or corporation shall forfeit to the State of Texas as a penalty not less than Twenty-five Dollars (\$25) nor more than One Thousand Dollars (\$1,000) for each violation, and each violation shall constitute a separate offense. The venue for the collection of such penalties by suit shall be in Travis County, Texas."

The amendment was adopted.

On motion of Senator Moffett and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 7 on Third Reading

Senator Moffett moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 7 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood

Present—Not Voting

Smith

Absent—Excused

Fly

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood

Present—Not Voting

Smith

Absent—Excused

Fly

Martin

House Concurrent Resolution 14 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 14, Requesting the Texas Legislative Council to prepare and distribute to Members of the Legislature a summary report of information it has compiled and published on the State's tax structure.

The resolution was read.

On motion of Senator Bracewell and by unanimous consent the resolution was considered immediately and was adopted.

House Concurrent Resolution 28 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 28, Granting Hugh M. Glover of Wichita County, Texas, permission to sue the State of Texas and the Adjutant General's Department.

The resolution was read.

On motion of Senator Moffett and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 24 with House Amendments

Senator Hudson called S. C. R. No. 24 from the President's table for consideration of the House amendments to the bill.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Hudson moved that the Senate concur in the House amendments.

The motion prevailed.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 13, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 30, A bill to be entitled "An Act amending portions of Chapter 599, Acts of the 51st Legislature, Regular Session, 1949 (Article 489c, of Vernon's Texas Penal Code), relating to the felony offense of possession of certain types of firearms by persons convicted of certain felony offenses; amending Section 1 so as to make the Act apply to persons convicted of any felony offense, and amending Section 4 so as to change the exceptions to which the Act does not apply; repealing conflicting laws; providing for severability; and declaring an emergency."

S. B. No. 86, A bill to be entitled "An Act to amend Chapter 156, Acts of the 40th Legislature, Regular Session, 1927 (Article 200a, Vernon's Texas Civil Statutes), relating to administrative judicial districts, by adding thereto a section to be known as Section 5a, providing in case of assignment it shall be the duty of the district judge to serve, unless for good cause he is excused; and declaring an emergency."

(With amendments.)

S. B. No. 149, A bill to be entitled "An Act to amend the Meat Inspection Law (Chapter 339, Acts 49th Legislature, as amended) so as to include poultry and domestic rabbits within its provisions; defining poultry to include domesticated birds and commercially-produced game birds; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the committees indicated:

H. B. No. 311, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 11, To the Committee on Jurisprudence.

H. B. No. 199, To the Committee on Jurisprudence.

H. B. No. 444, To the Committee on State Affairs.

Adjournment

On motion of Senator Hardeman the Senate at 11:58 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Judge H. A. Becker

Senator Moore offered the following resolution:

(Senate Resolution 223)

Whereas, In the passing of Judge H. A. (Hub) Becker of Brenham, Texas, on the 31st day of January, 1957, the people of Washington County lost one of their most outstanding and worthy citizens; and

Whereas, Judge Becker, born in New Ulm, Austin County, Texas, had lived in Brenham, Texas, since he was six years old; and

Whereas, He attended the Third Ward School, Brenham High School, Lutheran College and finally Texas A. & M. College, where he was a graduate of the Class of 1902. After he finished A. & M. College he was employed by the Gulf Oil Corporation; and

Whereas, Judge Becker was Justice of the Peace of Precinct Three for thirty years; he lived A. & M. College every minute of his life and ardently following every Aggie athletic event with football the sport that interested him most; and

Whereas, Judge Becker is survived by three brothers, D. C. Becker of Brenham, Texas; Adolph Becker and Dr. Ernest Becker, both of Houston, Texas; now, therefore, be it

Resolved, That the Senate pay tribute to the memory of this good man who contributed so much to his City and State; and be it further

Resolved by the Senate of Texas, That a page be set aside in the Senate Journal as a memorial to Judge Becker and when the Senate adjourns today it do so in his honor.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Howard B. Walters

Senator Smith offered the following resolution:

(Senate Resolution 224)

Whereas, The Universal Father, in His infinite wisdom did, on the fifth day of March, remove from his earthly labors, Howard B. Walters, a most loved and highly esteemed citizen, husband, and father; and

Whereas, Mr. Walters was born seventy years ago, and was a native of Van Zandt County where he farmed until his retirement several years ago; and

Whereas, Mr. Walters served his Community and his Church long and faithfully as a pioneer of Andrews County, coming here in 1929 from Lamesa, as a commissioner from 1950 to 1952, and as a member of the Church of Christ in Andrews; now, therefore, be it

Resolved, That it is the desire of the Senate of the Fifty-fifth Legislature to pay tribute to this worthy citizen; and be it further

Resolved, That when the Senate adjourns today, it do so in his honor and that a page in the permanent Journal in the Senate be devoted to the recording of this resolution; and be it further

Resolved, That an enrolled copy of this resolution be sent to his wife, Ruby Walters; to his sons, Howard Walters, of Andrews and W. B. Walters, of Levelland; to his daughter, Mrs. J. H. Dodd, of Jackson, Mississippi; to his brothers, Elmer Walters, of Lubbock, Horace Walters, of Anton, and Pine Walters, of Andrews; to his sisters, Mrs. Pearl Hall, of Athens, and Mrs. Alma Tolbert, of Sunray, as a token of respect and sympathy.

The resolution was read and was adopted by a rising vote of the Senate.